

DT02 Rec'd PCT/PTO

07 JAN 2005

U. S. PATENT AND TRADEMARK OFFICE  
U.S. DEPARTMENT OF COMMERCE

**TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A FILING UNDER 35 U.S.C. 371**

ATTORNEY'S DOCKET NUMBER

21141YP

U.S. APPLICATION NO. (If known, see 37 CFR 1.5)

10/520566

INTERNATIONAL APPLICATION NO. INTERNATIONAL FILING DATE  
PCT/US03/22077 14 July 2003

PRIORITY DATE CLAIMED  
18 July 2002

TITLE OF INVENTION  
COMBINATION THERAPY FOR THE TREATMENT OF OBESITY

APPLICANT(S) FOR DO/EO/US

DOUGLAS J. MacNEIL, JAMES H. McINTYRE, LEONARDUS H.T. VAN DER PLOEG, and AKANE ISHIHARA

**Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:**

1.  This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2.  This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3.  This is an express request to begin national examination procedures [35 U.S.C. 371(f)]. The submission must include items (5), (6), (9) and (21) indicated below.
4.  The US has been elected (PCT Article 31).
5.  A copy of the International Application as filed [35 U.S.C. 371(c)(2)]
  - a.  is attached hereto (required only if not communicated by the International Bureau).
  - b.  has been communicated by the International Bureau.
  - c.  is not required, as the application was filed in the United States Receiving Office (RO/US).
6.  An English language translation of the International Application as filed [35 U.S.C. 371(c)(2)].
  - a.  is attached hereto
  - b.  has been previously submitted under 35 U.S.C. 154(d)(4).
7.  Amendments to the claims of the International Application under PCT Article 19 [35 U.S.C. 371(c)(3)].
  - a.  are attached hereto (required only if not communicated by the International Bureau).
  - b.  have been communicated by the International Bureau.
  - c.  have not been made; however, the time limit for making such amendments has NOT expired.
  - d.  have not been made and will not be made.
8.  An English language translation of the amendments to the claims under PCT Article 19 [35 U.S.C. 371(c)(3)].
9.  An oath or declaration of the inventor(s) [35 U.S.C. 371(c)(4)].
10.  An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 [35 U.S.C. 371(c)(5)].

**Items 11 to 20 below concern other document(s) or information included:**

11.  An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12.  An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13.  A preliminary amendment.
14.  An Application Data Sheet under 37 CFR 1.76.
15.  A substitute specification.
16.  A power of attorney and/or change of address letter.
17.  A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821 - 1.825.
18.  A second copy of the published International Application under 35 U.S.C. 154(d)(4).
19.  A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
20.  Other items or information:

|  |                  |  |   |                             |  |                     |  |         |  |             |                  |        |  |        |  |  |  |  |  |  |  |  |  |  |  |
|--|------------------|--|---|-----------------------------|--|---------------------|--|---------|--|-------------|------------------|--------|--|--------|--|--|--|--|--|--|--|--|--|--|--|
| U.S. APPLICATION NO. (If known, <u>37</u> CFR 1.5)   |                  | INTERNATIONAL APPLICATION NO.<br><br><u>10/520566</u> PCT/US03/22077 | ATTORNEY'S DOCKET NUMBER<br><br>21141YP   |                             |  |                     |  |         |  |             |                  |        |  |        |  |  |  |  |  |  |  |  |  |  |  |
| 21. The following fees are submitted:  |                  |  |   |                             |  |                     |  |         |  |             |                  |        |  |        |  |  |  |  |  |  |  |  |  |  |  |
| <input checked="" type="checkbox"/> a) Basic national fee..... \$300.00<br><input checked="" type="checkbox"/> b) Examination fee..... \$200.00<br><input checked="" type="checkbox"/> c) Search fee ..... \$500.00  |                  |  | \$300.00<br>\$200.00<br>\$500.00  |                             |  |                     |  |         |  |             |                  |        |  |        |  |  |  |  |  |  |  |  |  |  |  |
| <b>TOTAL OF ABOVE CALCULATIONS = \$1000.00</b>   |                  |  |   |                             |  |                     |  |         |  |             |                  |        |  |        |  |  |  |  |  |  |  |  |  |  |  |
| <input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.   |                  |  | <table border="1" style="width: 100px; border-collapse: collapse;"> <tr> <td colspan="2" style="text-align: center; padding: 2px;">FEE VALUE<br/>AMOUNT PAYABLE</td> </tr> <tr> <td colspan="2" style="text-align: center; padding: 2px;">DEPOSIT ACCOUNT NO.</td> </tr> <tr> <td colspan="2" style="text-align: center; padding: 2px;">13 2755</td> </tr> <tr> <td style="text-align: center; padding: 2px;">FEE<br/>CODE</td> <td style="text-align: center; padding: 2px;">VALUE<br/>PLAIDED</td> </tr> <tr> <td colspan="2" style="text-align: center; padding: 2px;">130.00</td> </tr> <tr> <td colspan="2" style="text-align: center; padding: 2px;">\$0.00</td> </tr> <tr> <td colspan="2" style="text-align: center; padding: 2px;"> </td> </tr> <tr> <td colspan="2" style="text-align: center; padding: 2px;"> </td> </tr> <tr> <td colspan="2" style="text-align: center; padding: 2px;"> </td> </tr> <tr> <td colspan="2" style="text-align: center; padding: 2px;"> </td> </tr> <tr> <td colspan="2" style="text-align: center; padding: 2px;"> </td> </tr> </table> | FEE VALUE<br>AMOUNT PAYABLE |  | DEPOSIT ACCOUNT NO. |  | 13 2755 |  | FEE<br>CODE | VALUE<br>PLAIDED | 130.00 |  | \$0.00 |  |  |  |  |  |  |  |  |  |  |  |
| FEE VALUE<br>AMOUNT PAYABLE  |                  |  |   |                             |  |                     |  |         |  |             |                  |        |  |        |  |  |  |  |  |  |  |  |  |  |  |
| DEPOSIT ACCOUNT NO.  |                  |  |   |                             |  |                     |  |         |  |             |                  |        |  |        |  |  |  |  |  |  |  |  |  |  |  |
| 13 2755  |                  |  |   |                             |  |                     |  |         |  |             |                  |        |  |        |  |  |  |  |  |  |  |  |  |  |  |
| FEE<br>CODE  | VALUE<br>PLAIDED |  |   |                             |  |                     |  |         |  |             |                  |        |  |        |  |  |  |  |  |  |  |  |  |  |  |
| 130.00   |                  |  |   |                             |  |                     |  |         |  |             |                  |        |  |        |  |  |  |  |  |  |  |  |  |  |  |
| \$0.00   |                  |  |   |                             |  |                     |  |         |  |             |                  |        |  |        |  |  |  |  |  |  |  |  |  |  |  |
|  |                  |  |   |                             |  |                     |  |         |  |             |                  |        |  |        |  |  |  |  |  |  |  |  |  |  |  |
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|  |                  |  |   |                             |  |                     |  |         |  |             |                  |        |  |        |  |  |  |  |  |  |  |  |  |  |  |
| Surcharge of <b>\$130.00</b> for furnishing the oath or declaration later than 30 months from the earliest claimed priority date [37 CFR 1.492(e)].  |                  |  |   |                             |  |                     |  |         |  |             |                  |        |  |        |  |  |  |  |  |  |  |  |  |  |  |
| CLAIMS   |                  | NUMBER FILED   | NUMBER EXTRA  |                             |  |                     |  |         |  |             |                  |        |  |        |  |  |  |  |  |  |  |  |  |  |  |
| Total Claims   |                  | 25 - 20 =  | 5   |                             |  |                     |  |         |  |             |                  |        |  |        |  |  |  |  |  |  |  |  |  |  |  |
| Independent Claims   |                  | 11 - 3 =   | 8   |                             |  |                     |  |         |  |             |                  |        |  |        |  |  |  |  |  |  |  |  |  |  |  |
| MULTIPLE DEPENDENT CLAIM(S) (if applicable)  |                  |  | + \$360.00  |                             |  |                     |  |         |  |             |                  |        |  |        |  |  |  |  |  |  |  |  |  |  |  |
| <b>TOTAL OF ABOVE CALCULATIONS (SUBTOTAL) =</b>  |                  |  | <b>\$2,850.00</b>   |                             |  |                     |  |         |  |             |                  |        |  |        |  |  |  |  |  |  |  |  |  |  |  |
| Processing fee of <b>\$130.00</b> for furnishing the English translation later than 30 months from the earliest claimed priority date [37 CFR 1.492(f)].   |                  |  |   |                             |  |                     |  |         |  |             |                  |        |  |        |  |  |  |  |  |  |  |  |  |  |  |
| <b>TOTAL NATIONAL FEE =</b>  |                  |  | <b>\$2,850.00</b>   |                             |  |                     |  |         |  |             |                  |        |  |        |  |  |  |  |  |  |  |  |  |  |  |
| Fee for recording the enclosed assignment [37 CFR 1.21(h)]. The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). <b>\$40.00</b> per property.   |                  |  |   |                             |  |                     |  |         |  |             |                  |        |  |        |  |  |  |  |  |  |  |  |  |  |  |
| <b>TOTAL FEES ENCLOSED =</b>   |                  |  | <b>\$2,850.00</b>   |                             |  |                     |  |         |  |             |                  |        |  |        |  |  |  |  |  |  |  |  |  |  |  |
| <u>Adjustment: Date: 07/11/2005 MKAYPAGH<br/>01/13/2005 LLANDGRA 00000068 132755 10520566<br/>02 FC:1632 500.00 CR</u>   |                  |  | Amount to be refunded:<br><br>Amount to be charged:   |                             |  |                     |  |         |  |             |                  |        |  |        |  |  |  |  |  |  |  |  |  |  |  |
| <u>07/12/2005 MKAYPAGH 00000068 132755 10520566<br/>Sale Ref: 00000011 PA:check5 in the amount of \$ _____ to cover the above fees is enclosed.<br/>01 FC:1642 b. <input checked="" type="checkbox"/> Please charge my Deposit Account No. <u>13-2755</u> in the amount of <u>\$2,850.00</u> to cover the above fees.<br/>A duplicate copy of this sheet is enclosed.<br/>c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to the Deposit Account No. <u>13-2755</u>. A duplicate copy of this sheet is enclosed.</u> |                  |  |   |                             |  |                     |  |         |  |             |                  |        |  |        |  |  |  |  |  |  |  |  |  |  |  |
| <b>NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive [37 CFR 1.137(a) or (b)] must be filed and granted to restore the International Application to pending status.</b>   |                  |  |   |                             |  |                     |  |         |  |             |                  |        |  |        |  |  |  |  |  |  |  |  |  |  |  |
| <b>SEND ALL CORRESPONDENCE TO:</b><br><u>Customer No. 000210</u><br>MERCK & CO., INC.<br>Patent Department, RY60-30<br>P.O. Box 2000<br>126 East Lincoln Avenue<br>Rahway, New Jersey 07065-0970   |                  |  |   |                             |  |                     |  |         |  |             |                  |        |  |        |  |  |  |  |  |  |  |  |  |  |  |
| <u>DATE: January 7, 2005</u><br><u>PHONE #: (732) 594-0672</u>   |                  |  | <br><b>SIGNATURE</b><br><u>BAERBEL R. BROWN</u><br><b>NAME</b><br>47,449<br><b>REGISTRATION NUMBER</b>  |                             |  |                     |  |         |  |             |                  |        |  |        |  |  |  |  |  |  |  |  |  |  |  |